



PATENT
Atty. Dkt. No. 080618-0237

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John P. Cooke et al.
Title: Enhancement of Vascular Function by Modulation of Endogenous
Nitric Oxide Production or Activity
Appl. No.: 10/618,835
Filing Date: 07/15/2003
Examiner: J. Russel
Art Unit: 1654

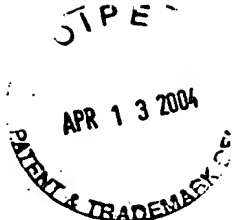
INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Under 37 CFR §§ 1.56 and 1.97(b), Applicants bring to the Examiner's attention the documents on the attached SB/08. This information Disclosure Statement is being filed before the mailing date of a first Office action on the merits for the above-referenced application.

Copies of the listed documents are attached and submitted with the Canadian Office action in CA 2,164,632 dated 02-11-2004 (4 pages) on which they were cited. The Canadian application is the national phase of International Application No. PCT/US94/06203, filed 06-02-1994, an application that claims priority to U.S. Application No. 08/076,312, filed 06-11-1993, now U.S. Pat. No. 5,428,070 and U.S. Application No. 08/184,519, filed 01-21-1994, now abandoned. The '312 application is part of the present application's family, as shown by the underlined portion of the family chain, which is reproduced here: This application is a continuation of Application No. 10/060,252, filed 02-01-2002, now U.S. Pat. No. 6,646,006, which application is a continuation of Application No. 09/930,833, filed 08-15-2001, now U.S. Pat. No. 6,642,208, which application is a continuation of Application No. 09/075,509, filed 05-08-1998, now U.S. Pat. no. 6,337,321, which application is a continuation of



Appln. No. 10/618,835
Atty. Dkt. No. 080618-0237

Application No. 08/556,035, filed 11-09-1995, now U.S. Pat. No. 5,891,459, which application is a continuation-in-part of Application No. 08/336,159, filed 11-08-1994, now abandoned, which application is a continuation-in-part of Application No. 08/076,312, filed 06-11-1993, now U.S. Pat. No. 5,428,070.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

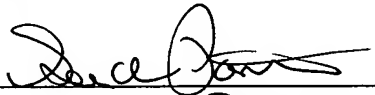
Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP § 609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

Date 04-13-2004

FOLEY & LARDNER LLP
Customer Number: 22428
Telephone: (202) 672-5569
Facsimile: (202) 672-5399

By  (45943)
SEAN A. PASSINO
Stephen B. Maebius
Attorney for Applicants
Registration No. 35,264
FOR

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted: April 13, 2004 <i>(use as many sheets as necessary)</i>				Complete if Known	
Application Number		10/618,835			
Filing Date		07/15/2003			
First Named Inventor		John P. Cooke			
Group Art Unit		1654			
Examiner Name		J. Russel			
Attorney Docket Number		080618-0237			

OIPE
 APR 13 2004
 U.S. PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ⁶
	E1	COOKE, JOHN P., et al., "Antiatherogenic Effects of L-Arginine in the Hypercholesterolemic Rabbit," <i>Journal of Clinical Investigation</i> , vol. 90, September 1992, pp. 1168-1172.	
	E2	MARIN, JESUS, et al., "Role of Endothelium-Formed Nitric Oxide on Vascular Responses," <i>General Pharmacology</i> , vol. 21, no. 5, 1990, pp. 575-587.	
	E3	JANSSENS, STEFAN P., et al., "Cloning and Expression of a cDNA Encoding Human Endothelium-derived Relaxing Factor/Nitric Oxide Synthase," <i>Journal of Biological Chemistry</i> , vol. 267, no. 21, July 25, 1992, pp. 14519-14522.	

1182877

Examiner Signature	Date Considered	
--------------------	-----------------	--

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, PO Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450.